



State of Tennessee Department of Children's Services

Administrative Policies and Procedures: 16.14

Subject: Out Of State Foster Homes

Supersedes: DCS 16.14, 12/01/00

Local Policy: No
Local Procedures: No
Requires Training: No

Approved by:

Effective date: 12/01/00

Revision date: 12/01/03

Application

To All Department Of Children's Services Employees, Children In State Custody, And Foster Parents.

Authority: TCA 37-5-106; 37-4-201 et seq.; Interstate Compact on the Placement of Children (ICPC) Regulation I

Policy

Children in the Department of Children's Services custody may be allowed to move out of state with the foster parents, at the discretion of the Director of Foster Care Services and in compliance with their Permanency Plan and the Interstate Compact on the Placement of Children (ICPC).

Procedures

A. Procedure for moving out-of- state with the foster parents

If a Department of Children's Services approved foster family intends to move out of state, and they desire to move their foster children with them, the following procedures are required:

1. Assessment of the child's (children's) permanency goal to see if it may be appropriate for the children to move with the foster parents. Consideration should be given to the length of time the children have resided in the home, whether or not the foster family has made a permanent commitment to the child, as well as the need for visitation with the birth parents.

2. If the plan calls for the children to move out of state with the foster parents, then written approval must be obtained from the Director of Foster Care and the court of venue.
3. Compliance with the Interstate Compact on the Placement of Children is required when a child in state custody accompanies the approved foster family to another state.
 - a) Compliance with the Interstate Compact on the Placement of Children specifically Regulation I of the ICPC is required when a child in TN state custody accompanies their DCS approved foster family to another state. The child may proceed to accompany the DCS approved foster family to another state when the conditions outlined under A, 1 and 2 are met; however, the requirements of A, 3, b must be strictly observed.
 - b) The DCS case manager will complete an ICPC referral packet and file that packet with the TN ICPC office in the time frame of 45 days in advance of the move and no later than 30 days after the move. ICPC Regulation I referrals will contain the basic required ICPC referral documentation on the child plus documentation of:
 - ◆ Written approval issued from the Director of Foster Care and the court of venue;
 - ◆ Current DCS foster study on the foster family including PATH documents, valid fingerprint check and criminal history check; and
 - ◆ ICPC Form 100B to confirm the date and address to which the child and placement resource will move or have moved. If the referral is incomplete and does not contain the required documentation and/or if the referral does not meet the required time frame for filing with the TN ICPC office, ICPC Regulation I does not apply and the “placement” is subject to violation of the ICPC.
 - c) The foster placement resource will subsequently be evaluated in the receiving state for continued placement of the DCS foster child. If the foster placement resource is not “approved” under the ICPC for continued placement of the child, upon notice via the ICPC 100A, the DCS case manager is responsible to secure an immediate alternative placement resource for the child within the jurisdiction of the State of Tennessee.

- d) Under ICPC Regulation I approved foster placement, the receiving state's public child welfare agency will provide supervision and written periodic progress reports on the child and the placement resource until the goal indicated on the permanency plan has been achieved. The receiving state public child welfare agency also will assist in providing services to the child and the foster family.
 - e) For additional information, consult Chapter 12, Interstate-Inter-country Services, dated February 1986 and TCA 37-4-201 et seq. and accompanying regulations.
4. The rate of the board payment shall remain consistent with the rates assigned to the child, while the family resided in Tennessee, unless the new state's board rates are higher, In that case, the Case Manager may request a negotiated rate, which will be consistent with the board rates in the foster family's new resident state.

B. Moving out-of-state to a new foster home

If a child's permanency plan calls for placement in an out-of-state foster home, for example to be placed closer to a birth parent, the following procedures are required:

- 1. Written approval must be obtained from the Director of Foster Care and the court of venue.
- 2. Compliance with the ICPC is required when the permanency plan of a child in TN DCS custody includes placement with a foster resource in another state. The physical placement of a DCS foster child into another state requires the written approval of the receiving State ICPC authority before such a placement can be made.
 - a) The DCS Case Manager will complete an ICPC referral and file it in triplicate with the TN DCS ICPC office in a timely manner as far in advance of the projected placement date as possible. Both the child and the potential foster family should be advised that completion of a formal foster training program, plus fingerprint and criminal history clearance may be required as part of the study process in the receiving state and will need to be completed before approval can be granted for the placement by the receiving state ICPC authority.

- b) Approval for an ICPC placement is valid for 6 months from the date of the receiving state ICPC administrator's approval on form CS-0525, *ICPC 100A Interstate Compact Placement Request*.
 - c) Upon receipt of the ICPC 100A Form notice of approval, the DCS Case Manager will confirm the use of the placement within twenty (20) working days by filing form CS-0523, *ICPC 100B Interstate Compact Placement Status Report* with the TN ICPC office.
 - d) Upon receipt of the Form 100B, the receiving state public welfare agency will be responsible for supervision and written periodic progress reports on the child and the placement resource until the goal indicated on the permanency plan has been achieved. In addition, the receiving state public child welfare agency will assist in providing services to the child and to the foster family.
 - e) A denial for placement on Form CS-0525, *ICPC 100A Interstate Compact Placement Request*, will require the DCS Case Manager to determine an alternative placement resource for the child.
 - f) For additional information, consult Chapter 12, Interstate-Inter Country Services, February 1986 and TCA 37-4-201 et seq., and accompanying regulations.
3. DCS will make board payments, consistent with the board rates paid by the new or receiving state. The Case Manager may request a negotiated rate from Central Office; but this approval must be in place prior to the child's placement in the out-of-state foster home.

Forms

CS-0523	ICPC 100B Interstate Compact Placement Status Report
CS-0525	ICPC 100A Interstate Compact Placement Request

Collateral Documents

Chapter 12, Interstate-Inter-Country Services, 2/86

Standards

None